



## **Arizona Regulatory Board of Physician Assistants**

9545 East Doubletree Ranch Road • Scottsdale, Arizona 85258-5514  
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Janet Napolitano

Governor

Randy Danielsen, Ph.D., P.A.-C

Chairman

Barry A. Cassidy, Ph.D., P.A.-C

Executive Director

### **FINAL MINUTES FOR PUBLIC MEETING HELD MAY 14, 2003, AT 1:00 p.m. 9535 E. Doubletree Ranch Road • Scottsdale, Arizona 85258**

#### ***Board Members***

Randy D. Danielsen, Ph.D., P.A.-C, Chair  
Albert Ray Tuttle, P.A.-C, Vice Chair  
Michael E. Goodwin, P.A.-C  
G. Bradley Klock, D.O.  
James Edward Meyer, M.D.  
Sigmund Popko  
Anna Marie Prassa, Public Member  
Joan M. Reynolds, P.A.-C  
Peter C. Wagner, D.O.  
Barry D. Weiss, M.D., FAAFP

#### ***Board Counsel***

Christine Cassetta, Assistant Attorney General

#### ***Staff***

Barry A. Cassidy, Ph.D., P.A.-C, Executive Director  
Ron Anderson, Assistant Director/Enforcement  
Amanda J. Diehl, Assistant Director/Operations & Licensing  
Beatriz Garcia Stamps, M.D., Medical Director

#### **I. CALL TO ORDER**

Randy D. Danielsen, Ph.D., P.A.-C, Chair, called the meeting to order at 1:23 p.m.

#### **II. ROLL CALL**

The following Board members were present: Randy D. Danielsen, Ph.D., P.A.-C, Albert Ray Tuttle, P.A.-C, Michael E. Goodwin, P.A.-C, G. Bradley Klock, D.O., James Edward Meyer, M.D., Sigmund Popko, Anna Marie Prassa, Joan M. Reynolds, P.A.-C, and Barry D. Weiss, M.D., FAAFP

The following Board member was absent: Peter C. Wagner, D.O.

#### **III. CALL TO THE PUBLIC**

Statements issued during the Call to the Public are listed beneath the case number referenced in the statement

#### **IV. EXECUTIVE DIRECTOR'S REPORT**

##### **Agency Statistics for Fiscal Year 2002-2003**

For this presentation staff provided the Board with statistics concerning the licensing integrity system, quality and timely investigations, adjudication and compliance, and public awareness and education.

##### **Executive Director's Delegated Authorities**

In order to apprise the Board of actions taken from January 1, 2003 through March 31, 2003, staff submitted a report to the Board containing a Summary of Actions. The actions compiled in the report are as follows: Dismissals, Requests for Inactive Status and Cancellation of License, Referral of Investigations to Formal Hearing, License Denials, Consent Agreements, Non-Disciplinary Consent Agreements, Interim Evaluations and Investigational Interviews Ordered.

## EXECUTIVE DIRECTOR'S REPORT—CONTINUED

### Staff Reports

For the Board's review staff submitted an update of recent personnel actions. As of January 6, 2003, the agency has fifty-three positions filled and five vacancies. Since the last Human Resource update two staff members were promoted and seven new staff members joined the agency.

### Budget

In addition, staff submitted a budget summary report containing the following information: As of March 31, 2003, total revenue is \$83,461.72. Of that amount, 10%, \$8,346.71, is deposited to the General Fund, leaving a balance of \$75,150.50. After subtracting total expenditures provided within the summary report to date the agency has a balance of \$15,077.14.

### Board Technology and Operations

Following the Budget Report staff also provided the Board with a Board Technology and Operations update. Board staff is currently redesigning the Arizona Medical Board website and is developing a similar website for the Arizona Regulatory Board of Physician Assistants. In the new website News and Events will be highlighted on the home page to keep viewers apprised of current regulatory issues.

### Human Resources

Also, staff submitted a Human Resources report to the Board containing the following updates: training resources at the Arizona Government University are available through the new STAR (the Arizona Government University Website) system for staff to access, a Performance-based Incentive Program (P.I.P.) report for Fiscal Year 2001-2002, was submitted in October of 2002, to the P.I.P. Coordinator, at the Arizona Department of Administration, and the conversion from the old Human Resources Management System (HRMS) to the new Human Resources Information System (HRIS) has been progressing slowly in order to ensure success of the new system, and to date a "go live" date has not been set for implementation.

### Legislative & Regulatory Affairs

For further review, staff submitted a Legislative Report informing the Board the legislative session is half over. HB 2336, Board of Physician Assistants, was signed by the Governor on April 14, 2003, and was chaptered as Laws 2003, Ch.60. The effective date will be ninety days after the last day of the regular session.

### Licensing

To elaborate upon the progress made within the Licensing Department staff submitted an update explaining the Licensing Center has completed the scanning and quality control checking of three quarters of the current Physician Assistant files. Once this is completed all Physician Assistant files will be accessed electronically. Also, there are over 1000 active Physician Assistants in Arizona.

### Attendance

Also, staff submitted an attendance worksheet containing the attendance of the Board members at the February 2003 meeting and the dates of the upcoming Board meeting for 2003.

### Executive Director's Scheduled Meetings

For the Board's further review staff submitted a report containing all of the Executive Director's Scheduled Meetings from January 2003 through April 2003 that states the name of the individuals Barry A. Cassidy, Ph.D., P.A.-C, met with, the organization the individuals represent, and the purpose of the meeting.

## **V. BOARD COUNSEL REPORT**

The Board having no questions relating to the confidential legal memorandum it received, Board Counsel did not give a Board Counsel Report.

## **VI. APPROVAL OF MINUTES**

February 26, 2003 Teleconference Regular Meeting, including Executive Session

**MOTION: Albert R. Tuttle, P.A.-C, moved to approve the minutes of the February 26, 2003, Teleconference Regular Meeting, including Executive Session.**

**SECONDED: Anna Marie Prassa**

**VOTE: 9-0-0 Motion passed.**

## VII. NON-TIME SPECIFIC MATTERS

MOTION FOR REHEARING					
Ni	Case No.	Complainant v Physician Assistant		LIC #	Board Resolution
1.	PA-02-0001	ARBoPA	DANIEL STOLL, P.A.	1478	Denied Request for Rehearing.

While reviewing the case the Board's medical consultant, Rudolf Kirschner, M.D., proclaimed the articles subsequently submitted by Daniel Stoll, P.A., to the Board are irrelevant to this case. Not only had the article been published three years after this particular incident occurred, but also the patient in this case did not suffer the same medical condition as indicated within the article submitted; thus, the article has no bearing on this case.

To continue the discussion the Board raised issues concerning P.A. Stoll's continuing medical education and his competence. Furthermore, the Board expressed concern that P.A. Stoll's having submitted this article, lacking information pertaining to the actual patient's situation, may reflect his inability to make a proper diagnosis. Board Member Sigmund Popko noted that with his being an attorney he could conceive of counsel for P.A. Stoll having submitted this article without the P.A.'s approval and that the Board should not necessarily hold the submission of the article against the P.A. Also, the Board questioned whether P.A. Stoll had discussed the issue with the supervising physician or any other physician assistants.

Christine Cassetta, Board Counsel, noted that if the Board was concerned with the P.A.'s competence, it could move to open a new investigation.

**MOTION: Albert Tuttle, P.A.-C, moved to deny the request for rehearing.**

**SECONDED: Joan M. Reynolds, P.A.-C**

**VOTE: 9-0-0 Motion passed.**

Ni	Case No.	Complainant v Physician Assistant		LIC #	Board Resolution
2.	PA-02-0011	G.F.	RODERICK HOOD, P.A.-C.	22591	Issue an Advisory Letter for failure to diagnosis and properly treat a skin rash, postponing the patient's request for dermatologic follow up for several months since the follow up should have taken place sooner, and suggest that P.A. Hood obtain pre-approved Continuing Medical Education in the recognition and treatment of common skin disorders.

During his review of this case the Board's medical consultant, Rudolf Kirschner, M.D., elaborated many skin diseases are easily confused; however, in this case, it would be difficult to understand how the confusion could have occurred, especially since the facility where the incident occurred is a dermatologic facility. This should have been a routine diagnosis for P.A. Hood to assess.

In further discussion, the Board noted a dermatology practice should not have made this kind of error. In addition, the Board found the lack of testing troublesome; however, this case lacked harm to the patient. Furthermore, the Board discussed when the patient called the office to complain; she was told it would be several months before she could be seen again. This delay in treatment raises questions concerning P.A. Hood's failure to require the patient to return once complications arose. The Board discussed issuing an advisory letter to P.A. Hood or inviting him to appear before the Board for further review of the case.

**MOTION: James E. Meyer, M.D. moved to issue an Advisory Letter for failure to diagnosis and properly treat a skin rash, postponing the patient's request for dermatologic follow up for several months since the follow up should have taken place sooner, and suggest that P.A. Hood obtain pre-approved Continuing Medical Education in the recognition and treatment of common skin disorders.**

**SECONDED: Bradley G. Klock, D.O.**

**VOTE: 9-0-0 Motion passed.**

**VIII. TIME SPECIFIC MATTERS:**

No.	Case No.	Complainant v Physician Assistant		LIC #	Board Resolution
3.	PA-02-0014	M.H.	CATHY A. KELLEY, P.A.-C	4530	Issue an Advisory Letter for administering an overdose of Levsin, auto closing the chart, and inaccurately documenting patient information.

The Board's medical consultant, Rudolf Kirschner, M.D., reviewed the circumstances of this case concerning an overdose of Levsin prescribed to an infant. Following Dr. Kirschner's statement, Cathy A. Kelley, P.A.-C, described the treatment she provided when the mother brought in the patient with a diaper rash. During the visit P.A. Kelley suggested administering Levsin drops to the patient. P.A. Kelley did not realize the mistake in dose she was making, even though, it was not busy at the time. P.A. Kelley disclosed she could not offer a rational explanation for making the error in prescribing the medication.

To apprise the Board, Barry A. Cassidy, Ph.D., P.A.-C, explained this case had been recommended as an advisory letter. The Board discussed concerns with the overdose prescribed to the patient, the chart having been auto closed, and inaccurately recorded information. In response P.A. Kelley explained her office converted to an automated chart system. Given the new charting system, she would wait until the end of the day to chart her patient's records, however, there is no excuse for the error she made. With the current charting system she could not have erased the prescription given. During the ensuing discussion the Board discussed issuing an advisory letter to P.A. Kelley, and questioned P.A. Kelley concerning measures she has implemented to ensure this kind of mistake will never happen again. In response P.A. Kelley explained there is nothing she could have done to prevent this error from occurring with the auto chart system is in practice, although, she will never prescribe Levsin in the future.

Following P.A. Kelley's explanation, the Board questioned the possibility of the nurse noting the error in the prescription, and the testing that was administered to the patient. P.A. Kelley noted that since the amount prescribed was not correctly listed in the chart the nurse would never have known that the dosage amount was incorrect. In response to the Boards' questions concerning the use of Levsin to an infant suffering colic, P.A. Kelley explained the reason behind her choice to administer the prescription.

**MOTION: Albert Tuttle, P.A.-C, moved to issue an Advisory Letter for administering an overdose of Levsin, auto closing the chart, and inaccurately recording patient information.**

**SECONDED: Michael Goodwin, P.A.-C**

**MOTION: Joan Reynolds, P.A.-C, moved to go into Executive Session at 1:37 p.m.**

**SECONDED: James E. Meyer, M.D.**

**VOTE: 9-0-0 Motion passed.**

**The Board returned from Executive Session at 1:46 p.m.**

Randy D. Danielsen, Ph.D., called the Board into open session and asked for clarification of the motion. The Board discussed revising the motion to either include all three items, or exclude the second item from the motion. The Board chose to include all three items in the motion.

**ROLL CALL VOTE was taken and the following Board members voted in favor of the action: Randy D. Danielsen, Ph.D., P.A.-C, Albert Ray Tuttle, P.A.-C, Michael E. Goodwin, P.A.-C, G. Bradley Klock, D.O., James Edward Meyer, M.D., Sigmund Popko, Anna Marie Prassa, Joan M. Reynolds, P.A.-C, and Barry D. Weiss, M.D., FAAFP**

**VOTE: 9-0-0 Motion passed.**

The Board questioned if there had been any resources available to P.A. Kelley, and reviewed the guidelines a physician must follow to update the Board as to the physician assistants they supervise. The Board noted physicians must maintain a list of the physician assistants under their supervision. In addition, the Board discussed the Federal Drug Administration no longer recommends Levsin to treat colic.

**The meeting adjourned at 2:16 p.m.**

[SEAL]

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Barry A. Cassidy, Ph.D., P.A.-C, Executive Director